

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

JOSE MANZO-FLORES,  
Institutional ID No. 14161-085,

Plaintiff,

v.

KERRY DIXON, Senior  
Warden, *et al.*,

Defendants.

CIVIL ACTION NO.  
5:13-CV-00114-C

**ORDER**

Plaintiff Jose Manzo-Flores, acting *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 on May 3, 2013, and was subsequently granted permission to proceed *in forma pauperis*. The complaint was transferred to the docket of the United States Magistrate Judge for judicial screening pursuant to 28 U.S.C. § 1915 by Order dated May 6, 2014.

On July 31, 2014, the United States Magistrate Judge entered an order requiring Plaintiff to answer a questionnaire within thirty (30) days from the date of the Order. Plaintiff was specifically admonished that his failure to respond to the July 31 Order could result in the dismissal of his complaint. Plaintiff did not answer the questionnaire or respond to the July 31 Order.

On September 12, 2014, the United States Magistrate Judge entered a second order requiring Plaintiff to answer a questionnaire within twenty (20) days from the date of the Order. Plaintiff was again admonished that his failure to respond to the September 12 Order could result in the dismissal of his complaint. As of this date, Plaintiff has failed to file answers to the questionnaire or respond to the September 12 Order.

On January 13, 2015, the United States Magistrate Judge filed a Report and Recommendation which recommended that Civil Action No. 5:13-CV-00114-C be dismissed without prejudice for want of prosecution. As of this date, Plaintiff has not filed objections or responded to the Report and Recommendation.

The undersigned Senior District Judge has made an independent examination of the record in this case and finds that as of this date, Plaintiff has failed to respond to the Magistrate Judge's Report and Recommendation or participate in the judicial screening of his complaint. Accordingly, the Magistrate Judge's findings and conclusions should be ADOPTED.

It is, therefore, **ORDERED**:

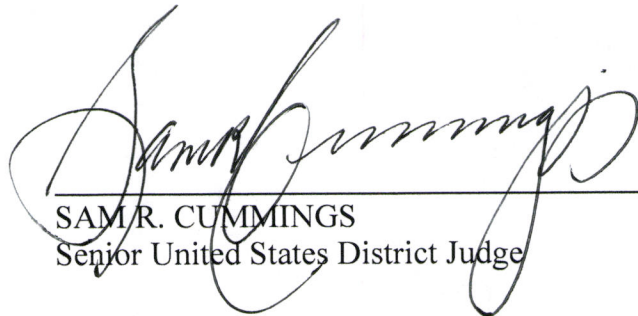
(1) Civil Action No. 5:13-CV-00114-C and all claims alleged therein are DISMISSED without prejudice for want of prosecution.

(2) Any pending motions are DENIED.

(3) Plaintiff is advised that if he appeals this Order, he will be required to pay the appeal fee of \$505.00 or he must submit an application to proceed *in forma pauperis* and a 6-month Certificate of Inmate Trust Account at the same time he files his notice of appeal.

Judgment shall be entered accordingly.

Dated February 19, 2015.



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SAM R. CUMMINGS  
Senior United States District Judge